

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 123 be amended to read as follows:

- 1 Page 2, delete line 27.
- 2 Page 2, line 28, delete "(8)" and insert "(7)".
- 3 Page 2, line 29, delete "(9)" and insert "(8)".
- 4 Page 2, line 31, delete "(10)" and insert "(9)".
- 5 Page 2, line 32, delete "(11)" and insert "(10)".
- 6 Page 2, line 33, delete "(12)" and insert "(11)".
- 7 Page 2, line 35, delete "(13)" and insert "(12)".
- 8 Page 2, line 36, delete "(14)" and insert "(13)".
- 9 Page 2, line 37, delete "(15)" and insert "(14)".
- 10 Page 2, line 38, delete "(16)" and insert "(15)".
- 11 Page 2, line 39, delete "(17)" and insert "(16)".
- 12 Page 2, line 40, delete "(18)" and insert "(17)".
- 13 Page 2, line 42, delete "(19)" and insert "(18)".
- 14 Page 20, line 2, delete "(20)" and insert "(19)".
- 15 Page 13, between lines 38 and 39, begin a new paragraph and insert
- 16 the following:
- 17 "SECTION 22. P.L.248-1996, SECTION 1, IS AMENDED TO
- 18 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION
- 19 1. (a) As used in this SECTION, "council" refers to the environmental
- 20 quality service council established by subsection (c).
- 21 (b) As used in this SECTION, "department" refers to the department
- 22 of environmental management.
- 23 (c) The environmental quality service council is established.
- 24 (d) The council consists of twenty-four (24) members appointed as
- 25 follows:
- 26 (1) Four (4) members of the senate, not more than two (2) of
- 27 whom may be affiliated with the same political party, to be
- 28 appointed by the president pro tempore of the senate.
- 29 (2) Four (4) members of the house of representatives, not more
- 30 than two (2) of whom may be affiliated with the same political
- 31 party, to be appointed by the speaker of the house of
- 32 representatives.

(3) The commissioner of the department or the commissioner's designee.

(4) Fifteen (15) individuals who are not members of the general assembly and who are appointed by the governor as follows:

(A) Four (4) individuals representing business and industry, not more than two (2) of whom may be affiliated with the same political party.

(B) Four (4) individuals representing local government, not more than two (2) of whom may be affiliated with the same political party.

(C) Two (2) individuals representing environmental organizations, not more than one (1) of whom may be affiliated with the same political party.

(D) Two (2) individuals representing the general public, not more than one (1) of whom may be affiliated with the same political party.

(E) Three (3) individuals representing the following interests:

(i) One (1) representative of semipublic permittees.

(ii) Two (2) representatives of agriculture, not more than one (1) of whom may be affiliated with the same political party.

Until an appointment is made under clause (A), (B), (C), or (E), an unfilled position shall be held by the corresponding member of the environmental quality service council serving on December 31, 1995, who was appointed under P.L.16-1994, SECTION 14(d)(4), and who represented the same interest as that of the unfilled position.

(e) Appointments are valid for two (2) years after the date of the appointment. However, a member shall serve on the council until a new appointment is made.

(f) A vacancy among the members of the council shall be filled by the appointing authority of the member whose position is vacant. If the appointing authority does not fill a vacancy within sixty (60) days after the date the vacancy occurs, the vacancy shall be filled by the chairman of the legislative council.

(g) The chairman of the legislative council shall designate a member of the council to be the chairman of the council.

(h) The chairman of the council shall call for the council to meet at least six (6) times during a calendar year. The chairman may designate subcommittees to meet between committee meetings and report back to the full council.

(i) Each member of the council is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, serving on interim study committees established by the legislative council.

(j) The council shall do the following:

(1) Advise the commissioner of the department on policy issues decided upon by the council.

(2) Review the mission and goals of the department and evaluate the implementation of the mission.

(3) Serve as a council of the general assembly to evaluate:

(A) resources and structural capabilities of the department to

- 1 meet the department's priorities; and
- 2 (B) program requirements and resource requirements for the
- 3 department.
- 4 (4) Serve as a forum for citizens, the regulated community, and
- 5 legislators to discuss broad policy directions.
- 6 (5) Submit a final report to the governor, the general assembly,
- 7 the budget committee, and the administrative rules oversight
- 8 committee established by IC 2-5-18 before November 1, 1996,
- 9 and each year thereafter, that contains:
- 10 (A) an outline of activities of the council;
- 11 (B) recommendations for any department action;
- 12 (C) recommendations for any legislative action; and
- 13 (D) an estimate of funding levels required by the department,
- 14 including an evaluation of permit fees.
- 15 (k) The commissioner of the department shall report to the council
- 16 each month concerning the following:
- 17 (1) Permitting programs and technical assistance.
- 18 (2) Proposed rules and rulemaking in progress.
- 19 (3) The financial status of the department.
- 20 (4) Any additional matter requested by the council.
- 21 (l) The council shall:
- 22 (1) operate under procedures; and
- 23 (2) issue reports and recommendations;
- 24 as directed by the legislative council.
- 25 (m) The legislative services agency shall provide staff support to the
- 26 council.
- 27 (n) This SECTION expires December 31, ~~2000~~ **2003**."
- 28 Page 15, line 3, delete "P.L. 248-1996;".
- 29 Renumber all SECTIONS consecutively.

(Reference is to SB 123 as printed February 12, 1999.)

Senator GARD